

P.21

File No. 225
19 . 1965

Collection No.

AB
5/7/47
Myson Residency
Bangalore

Pros. Serial Nos. 1-3

N. H. Dabhi

Subject.

Grant of pension to Municipal teachers.
Retirement of Lower Elementary Grade
Municipal Teachers at the age of 50.
Cancellation of the Municipal Council's Resolution.

Previous References.

Re - instatement of the teachers who were discharged.
+87
35

Later References.

Indulged

A
22/9/45
27/9

paras 144-145
of *Officers' Notes*
destroyed
· 11
27/9/65

NOTES AND PRECIS.

D.No.3667.

S.N.1.

56p (T) The Educational sub committee recommended that Lower Elementary Grade teachers in Municipal Schools should be retired at the age of 50 and that no teachers of Elementary Grade be appointed in future. This recommendation was taken up for discussion at an ordinary meeting of the Municipal Commission held on the 30th September, 1933 and the resolution noted below was passed by the Commission at that meeting:-

Resolution No.4 dated 30th Sept.1933.

- (1) teachers of only Lower Elementary Grade qualifications who have put in less than five years' service, be given three months' notice;
- (2) teachers of these qualifications should be retired on full pension when they reached the age of 50 years; and
- (3) no Lower Elementary Grade teachers be appointed in the future.

2 Four teachers who attained the age of 50 in August 1934 have already been retired from service in accordance with the above resolution. They submitted petitions to the President, Municipal Commission pointing out that the action of the Municipal Commission in ordering their retirement before attaining 55 years was irregular and praying that they might be given full pension instead of proportionate pension. They

represented ..

S.N. 2-6

P. 5-15

F. 11-7-35

(2)

represented their grievances ~~at~~ ^{also} to the Resident/and a reference having been made to the President, Municipal Commission, he stated that the cases were dealt with along with pension papers of the petitioners concerned which are now under consideration.

The Municipal Commission adhering to item (2) of the Resolution referred to in paragraph 1 ante passed a further Resolution No.18 dated the 28th March 1935 recommending the grant of full pension to the teachers though the President pointed out at the meeting that the proposal to grant full pension to employees not entitled to it by length of service would be contrary to the provisions of C.S.R. The pension papers are submitted for the orders of the Resident.

(4)

Under section 21 of the Bangalore Municipal Law all officers and servants of the Commission entertained in permanent employment before the creation of a Provident Fund shall be entitled to pensions or gratuities in accordance with the rules for the time being in force under section 96 B of the Government of India Act. The pension rules now in force under the above section are those contained in C.S.R. Therefore it is clear that pension

rules

rules in C.S.R. apply in the case of Municipal employees.

(7)

The Resolutions No.4(2) referred to above and Resolution No.18 dated the 28th March 1935 passed by the Commission appear to be ultra-vires of the provisions of the C.S.R. Article 459(b) of the C.S.R. lays down that officers other than ministerial who have attained the age of 55, should ordinarily be required to retire, and should not be retained in service except where unquestionable public grounds for retention exist, and there is no doubt as to the physical fitness of the officer. It is not clear how the Municipal Commission can ask the Municipal Teachers to retire on superannuation pension at the age of 50 on full pension. Further, pensions are paid according to the scale given in Article 474 of the C.S.R. and full pension cannot therefore be granted. It is true that under section 20 of the Bangalore Municipal Law the Commission have power to remove or dismiss any officer or servant of the Commission whose pay does not exceed Rs.300/- per mensem. But Article 418(a) of the C.S.R. lays down that resignation of the public service or removal from it for misconduct, insolvency, inefficiency not due to age or failure to pass a prescribed examination entails forfeiture of past services.

Page 123 - do -

Page 124 - do -

Page 114 - do -

The above circumstances do not appear to be fulfilled
in these cases and the retirement of these teachers/^{on proportional pension}
before they completed their full service is irregular.

(12)

In the circumstances it appears that under
section 173 of the Bangalore Municipal Law 1897 the
Commission may if approved be asked to cancel or modify
their resolutions No.4(2) dated the 30th September 1933
and No.18 dated the 28th March 1935 and to reinstate the
teachers already removed from service from the date of
their removal. They may be retired from service on
superannuation pension on their attaining the age of
55 years. Before final orders issued the ~~financial~~ ^{Municipal Auditor}
Municipal Auditor who is also Financial Adviser, to the
Hon'ble the Resident may be consulted U.O. in the matter.



S. S. S.

T.N.T.
27-5-35.

(From page 1)

(1)

Like F.A. plan advise?

G. S. S.

To,

30.5.35.

The Financial Adviser to the
Hon'ble the Resident.

W.G. No. D. 3667 dated the 30th May 1935

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
5 JUNE 1935
5480.
Recd. No.
File No.

Skinnerham
4-6 m

01576

100

A draft to the P.M.C. is submitted for consideration. If approved, before it issues the file may be sent to the P.M. C. for any remarks which he may wish to

to offer.

(to be paid 71)

Uw

12.6.35

19-

T.N.T.

14-6-35.

Secy.

(11)

With P.M.C. please see. If he can suggest any way out of the difficulty, we shall be glad to consider it; but we can not go against the provisions of the pension rules contained in the C.S.R.

W. S. S.
27-6-35

To,

The President, Municipal Commission,
C. & M. Station, Bangalore,

U. G. No. D. 3667, dated the 28th June 1935

No. 2553/35- dated 5th July 1935.
pp with 3 books

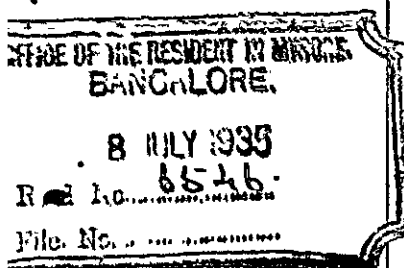
I do not see any other way out of the difficulty.

The Municipal Commission, it seems to me, have no option but to cancel their resolution No.4, dated the 30th September 1933 and to reinstate the teachers removed from service in pursuance of that resolution.

W. S. S.
57
PRESIDENT, M. C.

U.O.No.

To, The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.



2
67

(12)

Please see from para. 10 ante. For orders whether
the draft to P.M.C. may now issue.

Kil
9.7.35

~~Secy.~~

T.N.T.
9-7-35

The draft may issue?

Ure
10.7.35

~~Read~~

(from para 1.7)

Yes.
✓
Copy

Ure
12/7

S.M. (2) done

~~Record.~~

await

13-9-35

CORRESPONDENCE.

No. 2553/35-
Ex. 6.

CIVIL AND MILITARY STATION, BANGALORE
MUNICIPAL OFFICE.

DATED... 9th April 1935.

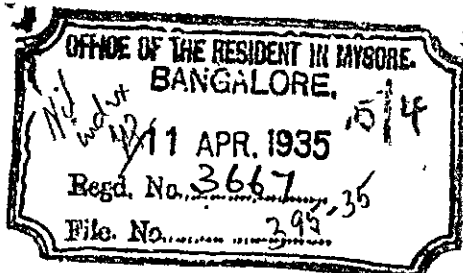
From

L. J. MAC IVER, ESQ., I. C. S.,

President, Municipal Commission,

Civil and Military station, BANGALORE.

To



The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

SIR,

I have the honour to forward for the orders of the
Hon'ble the Resident the applications for pension of the Lower

		Pension Recommended. Rs. as ps.)	Elementary teachers noted in the margin. They have been retired from service on the attainment of the age of 50 years in accordance with the Municipal Commission's resolution No. 4, dated the 30th September 1933: A copy of the Commission's resolution No. 18, dated
C. Narasimha Iyengar.	..	17- 8- 0	
T. Sama Sastry.	..	17- 8- 0	
B. Ahmed Hussain.	..	22- 0- 0	
R. Venkatasubbiah.	..	17- 8- 0	

the 28th March 1935, is enclosed.

Page 4 infra

2. On the 31st May 1933, Mr. M. Abdul Latheef, Municipal
Commissioner, put in a proposition that all teachers of Elementary
Lower Grade qualifications be retired from service and replaced
by S.S.L.C. or Intermediate hands with Secondary Grade Training.
This was placed before the Municipal Commission at their meeting
on the 30th September, 1933 and they resolved that:-

- (1) teachers of only Lower Elementary Grade qualifications
who have put in less than five years' service, be
given three months' notice;
- (2) teachers of these qualifications should be retired
on full pension when they reached the age of
50 years; and
- (3) no Lower Elementary Grade teachers be appointed in
the future.

P.F.O,

As a result, the four teachers whose pension applications are enclosed were retired from service. The Municipal Commission now recommend that full pensions be granted to them, in accordance with item (2) of their resolution No.4, dated the 30th September 1933. The accompanying statement shows, (1) the service qualifying for pension; (2) the pension admissible; (3) the pension they will get if kept on till they attain the age of 55 years; (4) the full pension they will get after completing 25 years' service and (5) the period of further service necessary to get full pension, in respect of the four applicants for pension.

T

3. I pointed out at the meeting of the Municipal Commission that the proposal to grant full pension to employees who are not eligible for it by length of service would be contrary to the provisions of the Civil Service Regulations, which govern pension payments and which are applicable to the staff of the Municipal Commission under Section ²¹20 of the Bangalore Municipal Law. But, in spite of this the Municipal Commission adhered to their original resolution.

I have the honour to be,
Sir,
Your most obedient servant,

C. M. S. S. S.

for President, M. C.

MVL.
6-4-35.



(4)

Municipal Commission's resolution dated the 28th March
1935. (Ordinary Meeting).

18. Consideration of the question of granting pensions to certain Lower Elementary Grade teachers who were retired from service on attaining the age of 50 in accordance with the Municipal Commission's resolution No.4, dated the 30th September 1933.

Recommended.

Resolved that the teachers in question be granted full pension in accordance with item No.(2) of the Municipal Commission's resolution No.4, dated the 30th September 1933.

(File No.24. of 1935).

(Sd). L. J. Mac Iver,

President, M. C.

" Copy. "

Shohile.
8/4/35.

MVL.
6-4-35.

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant, C. Karasimha Iyengar.
2. Father's name, C. Samachar.
3. Race, Sect and Caste, Hindu, Sri Vaishnava Brahmin.
4. Residence showing Village and Pergunnah, Veeranna's Garden, Cleveland Town, Bangalore.
5. Present or last employment, including name of establishment, Teacher, Cleveland Town Boys' School.
6. Date of beginning of Service, 1-1-1919.
7. Date of ending of Service, 2-8-1934. Y. M. D.
8. Length of service, including interruptions 15-7-1.
of which superior 15-6-7.
inferior nil.
non-qualifying and interruptions 0-0-24
9. Class of pension or gratuity applied for, and cause of application, Superannuation Pension, vide M.C's resolution No. 4, dated 30-9-1933.
10. [Average] emoluments or pay, Rs: 35/- per month.
11. Proposed pension, Rs: 8-12-0.
12. Proposed gratuity, Nil.
13. Date from which pension is to commence, 3-8-1934.
14. Place of payment, Bangalore.
15. Date of Applicant's birth by Christian era, 10th January 1882.
16. Height, 5 feet - 5 1/2 inches.
17. Marks, { 1. A black mole on the left side of the neck, below the left ear.
2. A circular scar, about 1 inch in diameter on the right side of the chest, near upper sternum.
18. Date, 3-1-1935.

If the application is for a compensation pension or gratuity, the nature, of the change of establishment which has given rise to the claim should be fully stated.

(*If not known exactly, must be stated on the best information or estimate.)

(Sd). J. S. Ramiah,
Educational Superintendent,

C. Karasimha Iyengar
for President, Municipal Commission,
Civil & Military Station, Bangalore.

HISTORY OF THE (SERVICE SHOWING INTERRUPTION) OF C. Narasimha Sengar.

Establishment.	Appointment.	Pay.	Acting allowance.	Date beginning.	Date ending.	Period reckoned as service.			Period not reckoned as service.	Remarks.	How verified.	Remarks.
		RS.	RS.			Y.	M.	D.	Y.	M.	D.	
Educational	2 nd Asst. Comm. Boys' School.	15/-		1-1-1919.	31-3-1920.	1	3					
	1 st Asst. do	30/-		1-4-1920.	31-3-1921.	1						
	do	31/-		1-4-1921.	31-3-1922.	1						
	do	32/-		1-4-1922.	31-3-1923.	1						
	do	33/-		1-4-1923.	31-3-1924.	1						
	do	34/-		1-4-1924.	31-3-1925.	1						
	do	35/-		1-4-1925.	4-10-1930.	4	11	5		6	28.	(a)
	1 st Asst. Cleveland Town Boys' School.	35/-		5-10-1930.	2-8-1934.	3	4	2		5	26	(b).
Total period of Superior Service												
Add under Article 40 C.S.R.												
						14	6	7	1		24	

Verified with reference to Service register and acquisition rolls.

(a) Leave on average pay on M.C. from 8-6-25 to 5-8-25.
4-3-30 to 3-4-30
5-6-30 to 4-10-30
(b) Leave on average pay on M.C. from 2-11-31 to 1-12-31.
16-1-32 to 15-2-32.
5-7-32 to 4-8-32.
9-11-32 to 20-12-32.
17-10-33 to 22-11-33.
Half average pay.
23-11-33 to 16-12-33.

REMARKS BY THE PRESIDENT.

1. As to character and past conduct of Applicant. *Good.*
2. Explanation of any suspension or degradation. *Nil.*
3. Regarding any gratuity or pension already received by Applicant. (See Chapter XXI.) *Nil.*
4. Explanation under Article 427 so far as the Head of the Office can give it. *Nil.*
5. Any other remarks. *Nil.*
6. Specific opinion of Head Office whether the service claimed is established and should be admitted *yes.*
[See Article 911 (b)].

CERTIFIED that (subject to the remarks below recorded) qualifying service in ~~inferior or~~ superior grades has been duly proved for *15* years *6* months *7* days; and that a (pension ~~or gratuity~~) not exceeding Rs. *8-12-0*, is admissible under Article *474* of the Civil Service Regulations. The calculations have been duly verified. The (pension ~~or gratuity~~) is chargeable to ~~General Revenues, or to what Fund~~ Municipal Funds.

(Sd). J. S. Ramiah,
Educational Superintendent.

J. S. Ramiah
for President, Municipal Commission,
8/4/35, Civil & Military Station, Bangalore.

6-4-35.
RV/12/15

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant. J. Sama Sastri.
2. Father's name. Srikanta Sastri.
3. Race, Sect and Caste. Hindu, Smartha Brahmin.
4. Residence showing Village and Pergunnah. Narainpillay street, Bangalore.
5. Present or last employment, including name of establishment. Teacher, Jorighpalyam Boys' School.
6. Date of beginning of Service. 1-1-1918.
7. Date of ending of Service. 2-8-1934. Y. M. D.
8. Length of service, including interruptions 16-7-1

of which superior	...	...	...	...	...	16-7-1
inferior	...	...	...	...	...	Nil.
non-qualifying and interruptions	...	...	...	...	...	Nil.
9. Class of pension or gratuity applied for, and cause of application. Superannuation Pension in accordance with M.C's resolution No: 4, dated the 30th September 1933.
10. [Average] emoluments or pay. Rs: 35/- per mensem.
11. Proposed pension. Rs: 9-5-0.
12. Proposed gratuity. Nil.
13. Date from which pension is to commence. 3-8-1934.
14. Place of payment. Bangalore.
15. Date of Applicant's birth by Christian era. 15th February 1883.
16. Height. 5 feet- 3 1/2 inches.
17. Marks. { 1. A brown oval mole on the calf muscle of the right leg.
2. A black circular scar on the wrist of the right hand.
18. Date. 4-1-1935.

If the application is for a compensation pension or gratuity, the nature, of the change of establishment which has given rise to the claim should be fully stated.

(*If not known exactly, must be stated on the best information or estimate.)

(sd). J. S. Ramiah,
Educational Superintendent.

M. N. S. Ramiah
for President, Municipal Commission,
Civil & Military Station, Bangalore.

HISTORY OF THE (SERVICE SHOWING INTERRUPTION) OF J. Sama Sastri.											
Establishment.	Appointment.	Pay.	Acting allowance.	Date beginning.	Date of ending.	Period reckoned as service.			Period not reckoned as service.	Remarks.	How verified.
Educational	3rd Asst. Teacher in Polytechnic School.	RS. 15/-	-	1-1-1918.	9-6-1919	Y.	M.	D.			
	4th Asst. Teacher in House Road School.	RS. 15/-	-	10-6-1919	31-3-1920		9	22			
	1st Asst. Teacher in Polytechnic School.	RS. 30/-	-	1-4-1920	31-3-1921		1				
	do	RS. 31/-	-	1-4-1921	31-3-1922		1				
	do	RS. 32/-	-	1-4-1922	31-3-1923		11	8	22		
	do	RS. 33/-	-	1-4-1923	31-3-1924		10	11	19.		
	do	RS. 34/-	-	1-4-1924	31-3-1925		1				
	do	RS. 35/-	-	1-4-1925	2-8-1934		9	4	1		
Total period of Superior Service ...						16	4	20	2	11	
Add under Article 408 C.S.R.						-	2	11			

Verified with service register and acquaintance roll.

Privilege leave on half pay from 5-8-1922.
Leave on half average pay from 2-8-1923.

Total period of Superior Service ...
Add under Article 408 C.S.R.

= 16-7-1

REMARKS BY THE PRESIDENT.

1. As to character and past conduct of Applicant. *Good.*
2. Explanation of any suspension or degradation. *Nil.*
3. Regarding any gratuity or pension already received by Applicant. (*See Chapter XXI.*) *Nil.*
4. Explanation under Article 427 so far as the Head of the Office can give it. *Nil.*
5. Any other remarks. *Nil.*
6. Specific opinion of Head Office whether the service claimed is established and should be admitted *yes.*
[*See Article 911 (b).*]

CERTIFIED that (~~subject to the remarks below recorded~~) qualifying service in ~~inferior or~~ superior grades has been duly proved for *16* years *7* months *1* day; and that a (pension ~~or gratuity~~) not exceeding Rs. *474*, of the Civil Service Regulations. The calculations have been duly verified. The (pension ~~or gratuity~~) is chargeable to (~~here specify whether to General Revenues, or to what Fund~~) Municipal Funds.

(*Sd.*) J. S. Ramiah,
Educational Superintendent.

for President, Municipal Commission,
Mysore Civil & Military Station, Bangalore.

Recd.
6.4.35.
14/3/35.

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant, B. Ahmed Hussain.
2. Father's name, Muhamad Mirtuza.
3. Race, Sect and Caste, Mohamadan.
4. Residence showing Village and Pergunnah. Broadway, Bangalore.
5. Present or last employment, including name of establishment. Headmaster, Muhamadan Boys' School, Nilasandra.
6. Date of beginning of Service. 1-10-1916.
7. Date of ending of Service. 9-8-1934. Y. M. D.
8. Length of service, including interruptions 17-10-8.
- of which superior 17-10-8
- inferior Nil.
- non-qualifying and interruptions Nil.
9. Class of pension or gratuity applied for, and cause Superannuation Pension
of application. vide M.C's resolution No: 4, dated 30-9-33.
10. [Average] emoluments or pay. Rs. 42-14-0 per mensem.
11. Proposed pension, Rs. 12-3-0 per mensem. ✓
12. Proposed gratuity. Nil.
13. Date from which pension is to commence 10-8-1934.
14. Place of payment. Bangalore.
15. Date of Applicant's birth by Christian era. 15th February 1884.
16. Height. 5 feet - 3 1/2 inches.
17. Marks. 1. An extra pea like muscular growth on the back, about the middle of the spine.
2. A small mole on the abdomen on the left side.
3. Small moles, one on the right shoulder below the clavicle, one on the left side of the chest nearer to the left clavicle than to the nipple and a third on the left side of the nose.
18. Date. 7-1-1935.

If the application is for a compensation pension or gratuity, the nature, of the change of establishment which has given rise to the claim should be fully stated.

(*If not known exactly, must be stated on the best information or estimate.)

(Sd). T. S. Ramiah,
Educational Superintendent.

for President, Municipal Commission,
Civil & Military Station, Bangalore.
Supd.

REMARKS BY THE PRESIDENT.

1. As to character and past conduct of Applicant. *Good.*
2. Explanation of any suspension or degradation. *Nil.*
3. Regarding any gratuity or pension already received by Applicant. (See Chapter XXI.) *Nil.*
4. Explanation under Article 427 so far as the Head of the Office can give it. *Nil.*
5. Any other remarks. *Nil.*
6. Specific opinion of Head Office whether the service claimed is established and should be admitted ~~or not~~ *yes.*
[See Article 911 (b)].

CERTIFIED that (subject to the remarks below recorded) qualifying service in ~~inferior~~ superior grades has been duly proved for *17* years *10* months *8* days; and that a (pension ~~or gratuity~~) not exceeding Rs. *12-3-0*, is admissible under Article *474* of the Civil Service Regulations. The calculations have been duly verified. The (pension ~~or gratuity~~) is chargeable to (~~here specify whether to General Revenues, or to what Fund~~) Municipal Funds.

(Sd). J. S. Ramiah,
Educational Superintendent.

C. M. and S. S.

For President, Municipal Commission,
Sd/- Civil & Military Station, Bangalore.

6-4-35.
15/1/35.

APPLICATION FOR PENSION OR GRATUITY—

Date of Application.

Name of Applicant.

Last Appointment.

Class of pension or gratuity.

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of Commencement.

Date of sanction.

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant. R. Venkatasubbiah
2. Father's name. R. Seshaiyya.
3. Race, Sect and Caste. Hindu Brahmin.
4. Residence showing Village and Pergunnah. No. 9, Car street, Ulsoor, Bangalore.
5. Present or last employment, including name of establishment. Teacher, Shoolay Hindu Boys' School.
6. Date of beginning of Service. 1-4-1916.
7. Date of ending of Service. 4-8-1934. Y. M. D.
8. Length of service, including interruptions 18-4-3
of which superior 17-11-10
inferior Nil.
non-qualifying and interruptions 0-4-25.
9. Class of pension or gratuity applied for, and cause of application. Superannuation pension in accordance with M.C.'s resolution No. 4, dated 30-9-1933.
10. [Average] emoluments or pay. Rs.: 35/- per mensem.
11. Proposed pension. Rs.: 9-15-0 per mensem.
12. Proposed gratuity. Nil.
13. Date from which pension is to commence. 5-8-1934.
14. Place of payment. Bangalore.
15. Date of Applicant's birth by Christian era.* 15-3-1883.
16. Height. 5 feet - 3 inches.
17. Marks. { 1. An elliptical lilachish mole 1 1/4" long and 1/2" broad on the right buttock.
2. A round scar of the size of a pie in the middle of the back on the vertebral column.
3. Small lilach moles (about 4 in number) on the chest more to the left.
18. Date. 16-1-35.

If the application is for a compensation pension or gratuity, the nature, of the change of establishment which has given rise to the claim should be fully stated.

(*If not known exactly, must be stated on the best information or estimate.)

(Ed). J. S. Ramiah,
Educational Superintendent.

for President, Municipal Commission,
Civil & Military Station, Bangalore.

HISTORY OF THE (SERVICE SHOWING INTERRUPTION) OF R. Venkatasubrah.											
Establishment.	Appointment.	Pay.	Acting allowance.	Date beginning.	Date ending.	Period reckoned as service.			Period not reckoned as service.	Remarks.	How verified.
		RS.	RS.			Y.	M.	D.	Y.	M.	D.
Educational.	2nd Asst. Trng. - P. S. H. B. School.	15/-	-	1-4-1916	30-6-1916	-	3	-	-	-	-
	Ag. Headmaster, Cox Town Boys' School.	15/-	4/-	1-7-1916	31-1-1917	-	7	-	-	-	-
	Asst. old Poor House Road School.	20/-	-	1-2-1917	31-3-1920	3	1	21	-	-	9
	do	30/-	-	1-4-1920	31-3-1921	-	11	19	-	-	11
	do	31/-	-	1-4-1921	31-3-1922	1	-	-	-	-	-
	do	32/-	-	1-4-1922	31-3-1923	1	-	-	-	-	-
	do	33/-	-	1-4-1923	31-3-1924	-	11	15	-	-	15
	do	34/-	-	1-4-1924	31-3-1925	-	9	23	-	2	7
	do	35/-	-	1-4-1925	31-3-1932	6	3	22	-	8	8
	Asst. Kuwarpet Boys' School.	35/-	-	1-4-1932	5-10-1932	-	2	5	-	4	-
	Cox Town Boys' School.	35/-	-	6-10-1932	1-6-1933	-	7	27	-	-	-
	Shirley Hindu Boys' School.	35/-	-	2-6-1933	4-8-1934	1	-	28	-	1	5
Total period of Superior Service						16	11	10	1	4	25

Add under Article 408 C.S.R.

1-0-0

17-11-10

(a) Leave on average pay from 5-10-25 to 4-11-25; 14-9-26, 6-10-26 to 20-10-26; 29-10-28 to 30-10-28; 22-11-28, 10-12-28 to 14-12-28; 1-4-29 to 31-7-29; 13-11-29 to 17-11-29; 26-11-29 and 3-2-32 to 10-2-32.
(b) Leave on average pay from 6-6-32 to 5-10-32.
(c) Leave on average pay from 4 to 10-11-33; 20th, 22nd, & 23rd November 1933 and 7 to 31-7-1934.

(a) Leave on loss of pay on 11th & 12th October 1919 and 25th to 31st March '20.
(b) Leave on loss of pay from 1st to 11th April 1920.
(c) Leave on average pay from 25-6-23 to 9-7-23.
(d) Leave on average pay from 2-7-24 to 6-7-24; 9-7-24 to 8-9-24; 6-11-24 to 1-12-24.
(e) Leave on average pay from 5-10-25 to 4-11-25; 14-9-26, 6-10-26 to 20-10-26; 29-10-28 to 30-10-28; 22-11-28, 10-12-28 to 14-12-28; 1-4-29 to 31-7-29; 13-11-29 to 17-11-29; 26-11-29 and 3-2-32 to 10-2-32.

Verified with reference to acquittance roll and service register.

REMARKS BY THE PRESIDENT.

1. As to character and past conduct of Applicant. *Good.*
2. Explanation of any suspension or degradation. *Nil.*
3. Regarding any gratuity or pension already received by Applicant. (See Chapter XXI.) *Nil.*
4. Explanation under Article 427 so far as the Head of the Office can give it. *Nil.*
5. Any other remarks. *Nil.*
6. Specific opinion of Head Office whether the service claimed is established and should be admitted or not [See Article 911 (b)]. *yes*

CERTIFIED that (~~subject to the remarks below recorded~~) qualifying service in ~~inferior~~ superior grades has been duly proved for *17* years *11* months *10* days; and that a (pension ~~or gratuity~~) not exceeding Rs. *9-15-0*, is admissible under Article *474* of the Civil Service Regulations. The calculations have been duly verified. The (pension ~~or gratuity~~) is chargeable to (~~here specify whether to General Revenues, or to what Fund.~~) Municipal Funds.

(Sd). J. S. Ramiah,
Educational Superintendent.

for President, Municipal Commission,
874/03, Civil & Military Station, Bangalore.

9/10/35.
8.4.35.

14/1/35.

APPLICATION FOR PENSION OR GRATUITY.	
Date of Application.	
Name of Applicant.	
Last Appointment.	
Class of pension or gratuity.	
Amount of pension sanctioned.	
Amount of gratuity sanctioned.	
Date of Commencement.	
Date of sanction.	

4* communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.395-35
R.O. II

FROM

Major C. G. N. Edwards, I.A.,

SECRETARY to THE HON'BLE THE RESIDENT IN MYSORE.

To

The President, Municipal Commission,

Civil and Military Station, Bangalore.

Dated Bangalore, 13th July 1935.

Subject.

Retirement of Lower Elementary Grade Municipal teachers at the age of 50.

SIR,

S.N.1

I am directed to refer to your letter No.2553/35, dated the 9th April 1935, submitting for the orders of the Hon'ble the Resident applications for pension of four Municipal teachers who were discharged from service in accordance with the Commission's resolution No.4, dated the 30th September 1933.

2. The proceedings of the ordinary meeting of the Municipal Commission held on the 30th September 1933, at which the question of the discharge of Lower Elementary Grade teachers was discussed, shows that these teachers were discharged to make room for better qualified men. There is no provision in the Civil Service Regulations for the award of pension to officers discharged in such circumstances. Under article 426 of the Civil Service Regulations a compensation pension can be awarded to an officer who is discharged from service because on a reduction of establishment his appointment is abolished and other suitable employment cannot be found for him; but under article 429 Civil Service Regulations the discharge of an officer to make room for another who is better qualified does not amount to abolition of an appointment.

3. In these circumstances the retirement of the four teachers named in the letter under reference and the payment to them of full pension

pension contravene the provisions of the Civil Service Regulations; and I am therefore to request that the Commission may kindly be advised to cancel their resolutions No.4 dated the 30th September 1933 and No.18, dated the 28th March 1935, and to reinstate the teachers from the date of their discharge.

S.N. 1
Cor.p.4

I have the honour to be,
Sir,
Your most obedient servant,

O/C *Che 13/7.*

SECRETARY TO THE RESIDENT.

R.

BJ

No. 2553/35

13-2,000-17-4-1935.

19

CIVIL AND MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE,
DATED.....3rd September 1935.

From

F. R. BRISLEE, ESQ., I. C. S.,

President, Municipal Commission,

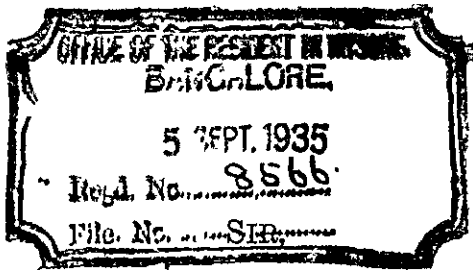
Civil and Military Station, BANGALORE.

To

The Secretary to the Hon'ble the Resident

in Mysore,

B A N G A L O R E.



Subject:-Retirement of Lower Elementary
Grade Municipal teachers at the age of
50.

Sr. 2
C.P. 18

(R)

With reference to your letter No.F.395-35/R.O.II, dated the 13th July 1935, on the above subject, I have the honour to enclose a copy of Municipal Commission's resolution No.2, dated the 29th August 1935, for the information of the Hon'ble the Resident, in which item (2) of the Municipal Commission's resolution No.4, dated the 30th September 1933, relating to the retirement of teachers of Elementary Grade qualifications on full pension when they reach the age of 50, has been rescinded, and to state that action is being taken to reinstate the teachers who were discharged.

I have the honour to be,

Sir,

Your most obedient servant,

F. R. Brislee
8/

PRESIDENT, M. C.

DIW.
3-9-35.

[Signature]

Municipal Commission's resolution dated the 29th August 1935. (Ordinary Meeting).

2. Letter dated the 13th July 1935, from the Secretary to the Hon'ble the Resident, regarding the question of discharge of Lower Elementary Grade Teachers in Municipal Schools on pension.

Recommended cancellation of Municipal Commission's resolution.

The President proposed the acceptance of the recommendation of the Standing Committee and Mr. Mohamed Hanief seconded the proposal.

Mr. Abdul Latheef opposed the proposal.

The President put the proposal to the meeting and it was accepted.

Resolved that item No. (2) of the Municipal Commission's resolution No.4, dated the 30th September 1933, relating to the retirement of teachers of Elementary Grade qualifications on full pension when they reach the age of 50, be rescinded, and the teachers who have been retired in pursuance of the above resolution be reinstated, as from the date of their retirement.

(File No.24 of 1935).

(Sd). F. R. Brislee.

PRESIDENT, M. C.

'C o p y'.

DIW.
3-9-35.

